

**Filed 9/23/08 by Clerk of Supreme Court**  
**IN THE SUPREME COURT**  
**STATE OF NORTH DAKOTA**

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2008 ND 168

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State of North Dakota,

Plaintiff and Appellee

v.

Robert Lee Johnson,

Defendant and Appellant

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Nos. 20080021 - 20080022

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Appeal from the District Court of Stutsman County, Southeast Judicial District,  
the Honorable Richard W. Grosz, Judge.

AFFIRMED.

Per Curiam.

Frederick R. Fremgen, State's Attorney (on brief), 511 Second Avenue SE,  
Jamestown, N.D. 58401, for plaintiff and appellee.

Jessica J. Ahrendt (on brief), Marshall County Courthouse, 208 East Colvin  
Avenue, Suite 17, Warren, Minn. 56762, and Mark T. Blumer, 341 Central Avenue  
North, Suite 3, P.O. Box 475, Valley City, N.D. 58072, for defendant and appellant.

**State v. Johnson**  
**Nos. 20080021 - 20080022**

**Per Curiam.**

[¶1] Robert Johnson appeals two district court judgments entered after a jury found him guilty of contact by bodily fluids with a law enforcement officer and a person lawfully present in a correctional facility who is not an inmate, in violation of N.D.C.C. § 12.1-17-11(1)(a) and (c). Johnson argues there was insufficient evidence to sustain the jury verdict. Testimony and forensic evidence presented at the trial support the jury findings. Concluding the criminal judgments are supported by substantial evidence, we affirm the district court criminal judgments under N.D.R.App.P. 35.1(a)(3).

[¶2] Gerald W. VandeWalle, C.J.  
Dale V. Sandstrom  
Daniel J. Crothers  
Mary Muehlen Maring  
Carol Ronning Kapsner